

**Fiscal Services Division  
Legislative Services Agency  
Fiscal Note**

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SF 2263 - Sex Offender Residency Requirements (LSB 6417 SV)  
Analyst: Jennifer Acton (Phone: (515) 281-7846) (jennifer.acton@legis.state.ia.us)  
Fiscal Note Version - New

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**Description**

Senate File 2263 makes changes to the residency restrictions that apply to certain sex offenders residing near a school or child care facility, and provides an effective date.

**Assumptions**

1. Senate File 2263 reduces the residency restrictions that apply to certain sex offenders residing near a school or child care facility from 2,000 feet to 1,000 feet. Current law restricts sex offenders from residing within 2,000 feet of a public or nonpublic elementary or secondary school.
2. There were three convictions for a violation of the 2,000-foot rule prior to the temporary injunction.
3. In FY 2003, there were 166 convictions for failure to register as a sex offender.
4. As of March 1, 2004, there were 5,793 individuals registered on the sex offender registry.
5. Under current law and SF 2263, a person who violates the Bill commits an aggravated misdemeanor, which is punishable by confinement for no more than two years and a fine of at least \$500 but no more than \$5,000.
6. Release from prison may be slowed due to the lack of adequate housing outside the restricted area and the inability to approve a valid parole plan.
7. The Bill takes effect upon enactment.

**Correctional Impact**

The correctional impact of SF 2263 cannot be determined due to insufficient information regarding the number of cases that might be filed and the conviction rate. It is reasonable to expect a correctional impact on prison, jail, and Community-Based Corrections resources. Also, releases from prison may be significantly slowed if appropriate community housing cannot be located.

**Fiscal Impact**

The fiscal impact of SF 2263 cannot be determined but is anticipated to be minimal.

**Sources**

Department of Human Rights, Criminal and Juvenile Justice Planning Division  
Judicial Branch  
Department of Public Safety

Dennis C Prouty

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March 16, 2004

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The fiscal note and correctional impact statement for this bill was prepared pursuant to Joint Rule 17 and pursuant to Section 2.56, Code of Iowa. Data used in developing this fiscal note and correctional impact statement are available from the Fiscal Services Division, Legislative Services Agency to members of the Legislature upon request.

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